



Atty. Dkt. No. 016906-0361

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Erich LITWING et al.  
Title: MODULAR HEATING AND/OR AIR CONDITIONING  
SYSTEM FOR A MOTOR VEHICLE  
Appl. No.: 10/518,490  
Filing Date: 12/20/2004  
Examiner: CIRIC, LJILJANA V  
Art Unit: 3744  
Confirmation No.: 5493

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to

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antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

### **RELEVANCE OF EACH DOCUMENT**

Documents A2 and A3 listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding German application. A copy of the German Search Report is attached setting forth the portion of each document considered relevant by the examiner.

Documents A1 and A3 belong to the same “patent family,” whereby the English language document may assist the PTO in understanding the content of the non-English language document.

Copies of Patent Nos. DE 197 03 519, DE 39 11 615, and EP 07 99 734 listed on the German Search Report are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified application on December 13, 2007 and December 20, 2004.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicants and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a “concise explanation of relevance” for each of the non-English

language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**FEE**

A credit card payment form in the amount of \$180.00 is enclosed to cover the fee associated with an information disclosure statement under 37 CFR §1.97(d).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: \_\_\_\_\_

5/28/09

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By \_\_\_\_\_

P.D.S.

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